

ORAL HISTORY INTERVIEW

JOANNE B. ROUBIQUE



STATUS OF INTERVIEW:
OPEN FOR RESEARCH



Interview Conducted and Edited by:
Donald B. Seney in 1998
California State University-
Sacramento
Bureau of Reclamation's
Newlands Project Oral History Series



Interview desktop published—2020

Oral History Program
Bureau of Reclamation
Denver, Colorado

SUGGESTED CITATION:

Roubique, Joanne B. *Oral History Interview*.
Transcript of tape-recorded Bureau of Reclamation
Oral History Interview conducted by Donald B.
Seney. Edited by Donald B. Seney and desktop
published by Andrew H. Gahan, historian, Bureau
of Reclamation. Repository for the record copy of
the interview transcript is the National Archives and
Records Administration in College Park, Maryland.

Record copies of this transcript are printed on 20
lb., 100% cotton, archival quality paper. All other copies
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Statement of Donation

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INTERVIEWER: DONALD B. SENEY

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Editorial Convention

A note on editorial conventions. In the text of these interviews, information in parentheses, (), is actually on the tape. Information in brackets, [], has been added to the tape either by the editor to clarify meaning or at the request of the interviewee in order to correct, enlarge, or clarify the interview as it was originally spoken. Words have sometimes been struck out by editor or interviewee in order to clarify meaning or eliminate repetition. In the case of strikeouts, that material has been printed at 50% density to aid in reading the interviews but assuring that the struckout material is readable.

The transcriber and editor also have removed some extraneous words such as false starts and repetitions without indicating their removal. The meaning of the interview has not been changed by this editing.

While we attempt to conform to most standard academic rules of usage (see *The Chicago Manual of Style*), we do not conform to those standards in this interview for individual's titles which then would only be capitalized in the text when they are specifically used as a title connected to a name, e.g., "Secretary of the Interior Gale Norton" as opposed to "Gale Norton, the secretary of the interior;" or "Commissioner John Keys" as opposed to "the commissioner, who was John Keys at the time." The convention in the Federal government is to capitalize titles always. Likewise, formal titles of acts and offices are capitalized but abbreviated usages are not, e.g., Division of Planning as opposed to "planning;" the Reclamation Projects Authorization and Adjustment Act of 1992, as opposed to "the 1992 act."

The convention with acronyms is that if they are pronounced as a word then they are treated as if they are a word. If they are spelled out by the speaker then they have a hyphen between each letter. An example is the Agency for International Development's acronym: said as a word, it appears as AID but spelled out it appears as A-I-D; another example is the acronym for State Historic Preservation Officer: SHPO when said as a word, but S-H-P-O when spelled out.

Introduction

In 1988, the Bureau of Reclamation created a History Program. While headquartered in Denver, the History Program was developed as a bureau-wide program.

One component of Reclamation's History Program is its oral history activity. The primary objectives of Reclamation's oral history activities are: preservation of historical data not normally available through Reclamation records (supplementing already available data on the whole range of Reclamation's history); making the preserved data available to researchers inside and outside Reclamation.

In the case of the Newlands Project, the senior historian consulted the regional director to design a special research project to take an all around look at one Reclamation project. The regional director suggested the Newlands Project, and the research program occurred between 1994 and signing of the Truckee River Operating Agreement in 2008. Professor Donald B. Seney of the Government Department at California State University - Sacramento (now emeritus and living in South Lake Tahoe, California) undertook this work. The Newlands Project, while a small- to medium-sized Reclamation project, represents a microcosm of issues found throughout Reclamation:

- water transportation over great distances; three Native American groups with sometimes conflicting interests;
- private entities with competitive and sometimes misunderstood water rights;
- many local governments with growing water needs;
- U.S. Fish and Wildlife Service programs competing for water for endangered species in Pyramid Lake

- and for viability of the Stillwater National Wildlife Refuge to the east of Fallon, Nevada; and Reclamation's original water user, the Truckee-Carson Irrigation District, having to deal with modern competition for some of the water supply that originally flowed to farms and ranches in its community.

Questions, comments, and suggestions may be addressed to:

Andrew H. Gahan
Historian
Environmental Compliance Division (84-53000)
Policy and Programs
Bureau of Reclamation
P. O. Box 25007
Denver, Colorado 80225-0007

For additional information about Reclamation's history program see:
www.usbr.gov/history

**Oral History Interview
Joanne B. Roubique**

Seney: My name is Donald Seney. I'm with Joanne Roubique, in her offices in Truckee, California. Today is August 24, 1998. This is our first session and our first tape. Good morning.

Roubique: Good morning.

Seney: Why don't you tell me how you got to be—what is your exact title here on the Forest Service?

Truckee Ranger District

Roubique: I'm the District Ranger for the Truckee Ranger District, Tahoe National Forest.

Seney: And that obviously encompasses the upper Truckee River basin.

Roubique: Uh-huh.

Seney: And part of Lake Tahoe?

Roubique: No. Actually, it doesn't include any portion of Lake Tahoe since the Lake Tahoe Basin Management Unit was formed in the mid-seventies.

Seney: So that's the separate one that's located over in South Shore?

Roubique: Right.

Seney: Okay. So how did you get to this position?
How long have you been with the Forest Service?

Roubique: I've been with the Forest Service about twenty-three years, and I am a landscape architect by education. Originally, where the Forest Service did recreation, site planning, and design, because of my recreation background, when this Ranger District became available, I applied for the job and was considered, with that kind of background, a good candidate, as opposed to one that might have a different emphasis.

Seney: I don't know a lot about the Forest Service. That'll become clear as I ask you questions. But that does seem to me, just on the face of it, a kind of odd background, is it, for the Forest Service? Are you kind of an unusual person in the Forest Service?

Roubique: I'm not as unusual—landscape architects have been a part of the Forest Service since probably sometime in the sixties, and behind foresters and engineers, we're probably in the larger groups of specialties that the Forest Service has. The last few years, we actually have seen an increase in other specialties, as well, like wildlife biologists and hydrologists, that sort of thing.

Seney: This would likely give you a different point of view, wouldn't it, than the foresters and the engineers?

Roubique: I think it does.

Seney: And you say this was a good fit, your background, for this particular district, do you call it?

Roubique: Yes. This ranger district is, I believe, in the top ten nationwide in terms of the number of recreation visits that we receive annually. The Forest Service is a large provider of recreation, but some locations, of course, see larger numbers of visits by the public than others.

Seney: You're kind of smiling when you say this. What are you smiling about? You're just a happy person?

Roubique: I guess. [Laughter]

Seney: Okay. Obviously, the Forest Service is going to have a point of view on these matters. If you sent someone else here to manage this district, they would likely take a different perspective than you.

Roubique: That's possible. I think that's possible.

Becoming Involved with the Truckee River Operating Agreement

Seney: What got you involved in the issues with the TROA [Truckee River Operating Agreement] and the operation of the river?

Roubique: Well actually, I became involved in the

operations with some of our reservoirs, which three of the federal reservoirs are located on National Forest System land. I actually became involved with that topic, these three reservoirs here at Truckee, before I became the ranger here. I was doing recreation planning and site design out of our office in Nevada City, and we were in the process of designing, or looking at what facilities needed to be designed, for the Stampede Reservoir.¹ My research into that project had me do some homework and research into the history of the reservoir, and that's when I first became interested in what was going on.

Seney: What was this time period?

Roubique: That would have been about 1977, '78.

Seney: So at this point, the reservoir is just, it's in political turmoil, obviously, who's going to control it.

Roubique: At that point in time, I'm not sure how aware the Forest Service really was about the political turmoil. It's my belief that the Forest Service may actually have been intentionally left out of some of that information loop. And I say that because when folks from the Bureau of

1. Completed in 1970 Stampede Dam is a feature of the Washoe Project. The storage capacity of the reservoir is 226,500 acre feet, which is reserved by court decree for fishery enhancement, primarily for the spawning of the endangered *cui-ui*, along the Truckee River downstream from Derby Dam and facilities operation of the Pyramid Lake Fishway. For more information on the Washoe Project see, Carolyn Hartl, "Washoe Project," Denver: Bureau of Reclamation History Program, 2001, www.usbr.gov/projects/pdf.php?id=208.

Reclamation today speak about the original intent for the reservoir at Stampede, it's very different than what's in the files, correspondence between the Bureau and the Forest Service, that sort of thing.

There was really no serious level of discussion about water rights with the [Pyramid Lake] Paiute Tribe, with Sierra Pacific Power and their need for water storage or water releases. There was no talk of the *cui-ui* at that point. It was all talk about a reservoir that would provide municipal and industrial water downstream, but that would be in the summertime a recreation facility. So the Forest Service entered into the agreement with the Bureau, at least as I read our files, with the understanding that this reservoir would be available at pretty much full recreation pool almost every summer.

Seney: And now you're smiling because that doesn't turn out to be the case often.

Roubique: No. And it's my belief that if the Forest Service had had a clear picture, that they might not have consented to the dam being built on National Forest. I don't know that, but I think that's a possibility.

Seney: In other words, you know, I know, for example, when the Newlands Project² was begun, and

2. Authorized by the Secretary of the Interior March 14, 1903, the Newlands Project was one of the first Reclamation projects. It
(continued...)

other Bureau of Reclamation projects, they withdraw lands from the B-L-M [Bureau of Land Management]. Those then become administered by the Bureau of Reclamation and not by B-L-M. But it doesn't work that way if they build a dam on National Forest land?

Roubique: My understanding of the process—and I'm not sure that I have this exactly accurate. There is often a withdrawal of lands or an acquisition of lands, but generally when the facility, the reservoir and pertinent facilities, are on National Forest System land, that land is then transferred to the National Forest System and managed by the Forest Service, including the recreation facilities, fish and wildlife facilities, and resources, that sort of thing.

Seney: Instead of, say, having the Park Service to it.

Roubique: Right.

Seney: Which is a part of the Department of Interior.

Roubique: Right.

Seney: There must be, I would think, quarrels and

2. (...continued)

provides irrigation water from the Truckee and Carson Rivers for about 57,000 acres of cropland in the Lahontan Valley near Fallon and bench lands near Fernley in western Nevada. In addition, water from about 6,000 acres of project land has been transferred to the Lahontan Valley Wetlands near Fallon. For more information on the Newlands Project see, Wm. Joe Simonds, "The Newlands Project," Denver: Bureau of Reclamation History Program, 1996, www.usbr.gov/projects/pdf.php?id=142.

squabbles between the Park Service and the Forest Service over this kind of thing?

Roubique: No. I'm not aware of any cases where the Park Service is managing facilities on National Forest System land. Not to say that it isn't happening, but I'm unaware of it. The Forest Service actually provides more recreation for the American public than the Park Service does, and so we consider ourselves every bit as expert in the provision of recreation as the Park Service, and I think they do, too. I'm not aware of there being any conflicts with that.

Seney: So in other words, if this dam is going to be built on your land, National Forest Service land, which, of course, is the Department of Agriculture instead of Interior, then you're going to manage the recreation facilities.

Roubique: Yes.

Seney: You're going to ask them, "How much water is there going to be in this?"

They'll say, "Oh, don't worry. There'll be plenty." Notice your boat docks right up on the edge, right?

Recreation Facilities at Stampede Reservoir

Roubique: Well, in fact, in the case of Stampede, the normal procedure was followed, and there is an agreement that is written and signed between the two agencies, basically a Memorandum of

Understanding, that lay out what each agency's responsible for and what each agency can expect of the other. And in the case of Stampede, that plan and agreement was never signed by the Bureau. It was sent to them, but it was never agreed to, which I think was the first indicator that perhaps we had a problem or a mis communication.

Seney: So all along, you've managed this without the usual Memorandum of Understanding signed by the two agencies.

Roubique: That's correct.

Seney: Now you're smiling again, but only because you're happy, right?

Roubique: Well, actually I'm smiling because I find it an interesting twist, if you will. At the time, when I first became involved with designing recreation facilities, I was also aware that it is also normal for the Bureau to pay for those facilities. In the case of Stampede, the Bureau has never paid for any of the recreation facilities, and I'm not sure exactly why that is. There's nothing in the files that really explains why they did not even—now, I believe they're even required by law to pay for those facilities. In the case of Stampede, all the facilities have been provided out of the appropriation that comes through the Department of Agriculture.

Seney: So normally, again, the Bureau of Reclamation would have paid for—I guess you're talking now

about the docks and bathroom facilities.

Roubique: Campgrounds and bathrooms.

Seney: Any capital improvements.

Roubique: Right.

Seney: Do you have an explanation for that?

Roubique: I don't know what happened. As I say, there's nothing in the files to indicate what happened. I don't know why that occurred. There may have been a rift or a problem between the two agencies. I actually am not sure.

Seney: How extensive are the recreational facilities at Stampede?

Roubique: We have a large family campground. It can accommodate about 250 families at one time.

Seney: Is that a good-size campground?

Roubique: It is a good-size campground. It's on the South Shore. We also have group campgrounds that can accommodate up to around 300 people. They can be in smaller groups or in one large group. And then we have a good-size boat ramp that accommodates the use on the South Shore.

At this point in time, we don't have any developed facilities on the North Shore, but the Forest Service has always assumed that at some point in the future, when the use grows, that that

would be a logical expansion of facilities onto the North Shore.

Seney: Is the use growing?

Roubique: It seems to be. Use in this whole area is growing. Recreation use, both winter and summer, are on an upswing because of the population growth in Reno, Sacramento, and the Bay area.

Seney: You know, there's been talk at Lake Tahoe, that I'm sure you're aware of, about the water quality, and especially the use of Jet Skis. I guess they'd like us to call them personal watercraft instead of by the brand name. Apparently, these are highly polluting, both air polluting and putting things in the water that really shouldn't be there. Has that become an issue yet on Stampede? Are there Jet Skiers on Stampede?

Roubique: We do have some Jet Skiers on Stampede, nowhere near the number, I think, that you see at either Tahoe or Donner Lake. Our population at the federal reservoirs has not grown quite as dramatically as it has the visitor population of either Donner or Tahoe.

Seney: Are you in the process of considering, or has it been brought up, banning them?

Roubique: We actually aren't yet in the process of looking at that. That's something we might consider in the future if we realize that the use has started to

outweigh the benefit.

Seney: It is, of course, a reservoir that serves a number of purposes. One is fish recovery and its maintenance at Pyramid Lake. But it's also a M&I source for Reno and Sparks, which means water quality is going to be an issue. Might they come to you and say, "This isn't good. We're getting too much, I guess, M-T-B in the water here or other things," and ask you to ban them?

Roubique: I think that's a possibility.

Seney: Is that how that would work?

Roubique: I think that's a possibility. It would not surprise me at some point if we got a variety of requests. Right now the water quality appears to still be fairly good. So my sense is that the amount of use, compared to the volume of water, is still relatively low.

Managing Water Levels in Stampede Reservoir

Seney: How is it being managed now? How is the level of the lake, from your point of view, the management of the reservoir? By the way, let me say, I have done a lot of these interviews, on various projects. When people smile, that usually means they're thinking of something else, as well. That's why I asked you. But you do have a lovely smile, and you use it frequently.

Roubique: Well, thank you.

Seney: It may not always mean something.

Roubique: Feel free to ask.

Seney: I will.

Roubique: Feel free to ask. How is it being managed? Well, at this point in time, it appears to be being managed via a series of agreements that may change day to day. There are various demands that are placed on that water, demands for endangered species, and certain species seem to take precedence, certain endangered species seem to take precedence over others.

Seney: The *cui-ui*, for example, at Pyramid Lake.

Roubique: The *cui-ui*, for example. I know that there's not a high level of concern on the part of either Fish and Wildlife Service or Reclamation for the bald eagles that we have in the area right around the reservoir, which has been a bit of a surprise to me that that seemed to be not much of an issue for them.

Seney: They're only threatened now, aren't they? Have they not been raised from endangered to threatened?

Roubique: Their status actually has not been changed. There's a proposal to change it, but we've been told it'll take about a year before the status changes, and they may very well be de-listed at

that point.

Seney: Right. Because they have made a remarkable comeback.

Roubique: They have.

Seney: How many nesting pairs do you have?

Roubique: We know that we have one nesting pair at Stampede and one nesting pair at Boca. We probably have more than that, but that's what we've been able to discover in the way of actual nests. We see a lot more eagles than that. We may be seeing young or we may actually be seeing nesting individuals.

Seney: Now, when this water is called for by Pyramid Lake fishery uses or M&I needs down at Reno-Sparks, you don't really have any right to that water, do you? There isn't a recognized recreational use, or if there is, it's not high enough a priority for you to say, "Whoa, don't take this water at this point." If others call for it, they get it, don't they?

Roubique: My understanding is, that is how the water right is working, and that's in part because of the [Public Law]101-618³ that was passed several

3. Public Law 101-618 became law on November 16, 1990. The Law contains two acts: The Fallon Paiute-Shoshone Tribal Settlement Act and the Truckee-Carson-Pyramid Lake Water Rights Settlement Act. The main topics of the legislation are:

- Fallon-Paiute Tribal Settlement Act
- Interstate Allocation of water of the Truckee and Carson

(continued...)

years that did place some priority on the water from Stampede for certain things. Although I will say that the Federal Watermaster has tried, on a few occasions, to accommodate various recreation requests among all three of the federal reservoirs, and sometimes that means he's taking water out of one and leaving water in another one, that under the prior decrees and agreements and contracts might not have been left in that particular place.

I know that he's made accommodations at both Prosser and Boca, which both are much more shallow reservoirs, and so when you start to drain them, the result becomes evident very quickly.

-
3. (...continued)
rivers.
- Negotiations of a new Truckee River Operating Agreement (TROA).
 - Water rights purchase program is authorized for the Lahontan Valley wetlands, with the intent of sustaining an average of about 25,000 acres of wetlands.
 - Recovery program is to be developed for the Pyramid Lake cui-ui and Lahontan cutthroat trout.
 - The Newlands Project is re-authorized to serve additional purposes, including recreation, fish and wildlife, and municipal water supply for Churchill and Lyon counties. A project efficiency study is required.
 - Contingencies are placed on the effective date of the legislation and various parties to the settlement are required to dismiss specified litigation.

Source: [http://www.usbr.gov/mp/lboa/public law 101-618.html](http://www.usbr.gov/mp/lboa/public%20law%20101-618.html)
(Accessed December 2011).

Seney: We're talking about Gary Stone⁴ now.

Roubique: Right.

Seney: Do you ever call him or does he call you?

Roubique: He calls sometimes, and I have been known to call him. We have had a few problems that I've had to notify. I know at one point there was not a policy of ramping flows, and we actually had a near-miss serious accident, where we had some fish survey crews in the Little Truckee River, between Stampede and Boca, and the flows went within about a four-hour period from 200 cfs. to 2,000 cfs. We were very lucky not to have someone injured or killed.

Seney: It would have been nice to have known that that was going to be done.

Roubique: Right. Since that time, Gary and his staff, I think, have tried—they did it without knowing that there might be people in the water. My concern is, beyond my own people, that's a very popular fishing stream, and it's not uncommon to have anglers standing in the water. We don't want them to end up getting knocked over and hitting their head on a rock, either.

4. Garry Stone participated in Reclamation's Newlands Series oral history project. See, Garry Stone, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, Bureau of Reclamation, August 15, 1994, in Reno, Nevada, edited by Donald B. Seney, www.usbr.gov/history/oralhist.html.

Seney: Are there a system of horns or warnings?

Roubique: No, there aren't any.

Seney: Water just begins to rise all of a sudden.

Roubique: It does.

Seney: And you better know what that means.

Roubique: And swim very quickly.

Seney: Right. But he has been responsive to that in terms of [unclear].

Roubique: I believe Gary's tried very hard to be responsive.

Seney: There are a lot of demands on him. I mean, there's no question about that.

Roubique: There are, and frequently they're conflicting demands at the same time.

Seney: Right. Well, I know he can—there's the Prosser Exchange Agreement, where water can be either left in Lake Tahoe and taken out of Prosser or left in Prosser and taken out of Lake Tahoe, and I guess there are times when you ask him to take it out of Lake Tahoe rather than Prosser.

Roubique: Yes.

Seney: And has he been responsive to that?

Roubique: He has. Those requests actually have come

more frequently from the community than they have—the community may realize that there's something about the change even before I have. Since the community in Truckee has become aware of what's going on with the movement of water and the water rights, that sort of thing, my sense is that they don't hesitate to call direct. They don't wait to go through me or my staff.

Seney: They'll call Gary Stone right away?

Roubique: They'll call Gary Stone, or whoever they feel they need to, to get attention.

Seney: I expect a lot of this comes from the sort of notorious drawdown at Prosser over the Memorial Day weekend in 1992. Were you here then?

Roubique: Yes.

Seney: I guess it dropped, what, seven feet in the course of that weekend.

Roubique: It did. It was a pretty amazing drop.

Seney: And as you say, it's a shallow reservoir, so seven feet in depth is going to shrink the shoreline, I would think, considerably, then.

Roubique: It's easy to get Prosser to the place where it's not attractive for almost any use. It's not attractive for fishermen, it's not attractive for camping, that sort of thing. It's easily brought to that level fairly quickly.

Seney: What kind of facilities does the Forest Service have over there?

Campground Reservations

Roubique: We have several family campgrounds, a group campground, and a boat ramp.

Seney: If I want to get into one of those campgrounds and reserve a place, I come to you to make that reservation?

Roubique: Actually, we contract for a reservation service, a nationwide Forest Service—

Seney: Like Ticketron or something like that?

Roubique: Well, it's not Ticketron, but it's similar. You call an 800 number and give them your credit card and tell them what dates you want, and they'll make your reservation for you.

Seney: So it's by reservation only.

Roubique: No, it isn't. We also require that a certain number of sites are held out of the reservation system for the person who just arrives and didn't know that there was a reservation system and doesn't have a place to go. We make sure that there are at least a few sites at every one of our facilities.

Seney: I expect you've learned through experience in dealing with irate citizens. Now you're really smiling.

Roubique: Yes, we have quite a few. [Laughter]

Seney: I didn't know this, and you can say, "Well, we had a few, if you'd only come sooner."

Roubique: Generally, though, in this area most people, except for the big holiday weekends or big event weekends, are able to be accommodated. They may not get their first choice, but they can find a place to camp. The thing that's real hard is if you have a weekend that's so busy that people are left without any place to go.

Seney: Right, a car full of kids and hopes and nowhere to go. What if I want to bring my boat or my personal watercraft down? Do I need to clear that with you?

Roubique: No. We do have parking facilities at each of the reservoirs for boats and boat trailers.

Seney: Is that going to cost me something?

Roubique: Well, we're in the process at Stampede—it's the only place that we allow a charge, and that's because the boat ramp parking lot is too small for the big weekends, and when people don't park carefully, they take up two or three spaces. So our concessionaire there on the big weekends charges a nominal fee, and that allows them to have somebody on site who helps people park. It basically covers the cost of having personnel there to make sure that the parking lot is used to its best advantage.

Seney: Ever going to be a time on a busy weekend I bring my boat down and somebody will say, "I'm sorry, there are too many boats in the water"?

Roubique: I think that could happen at some point in the future. At this point, we haven't had that problem, but I think it could. What we've noticed, most boaters are self-regulating in that respect. If the reservoir starts to get too crowded, they don't want to put their boat in.

Seney: The three are Boca,⁵ Prosser [Creek],⁶ and Stampede, the three federal reservoirs that you have facilities at. What about Independence Lake, which is a private facility?

Roubique: It is.

Other Recreational Facilities

5. A feature of the Truckee Storage Project, Boca Dam has a height of 116 feet and a crest length of 1,630 feet. It provides flood protection for Reno and Sparks, Nevada. The 40,000 acre feet capacity reservoir is used to regulate the Truckee River and provide water for irrigation, recreation, fish and wildlife benefits, power generation, and drought supplies for municipal and industrial users in the Truckee Meadows area. For more information see, Carolyn Hartl, "Truckee Storage Project," Denver: Bureau of Reclamation History Program, 2001, www.usbr.gov/projects/pdf.php?id=200.

6. Prosser Creek Reservoir was the initial feature of the Washoe Project. Prosser Creek Dam and Reservoir are located on Prosser Creek approximately 1.5 miles above the confluence of Prosser Creek and the Truckee River. The dam is an earthen structure 163 feet high and 1,830 feet long. It is capable of storing 29,800 acre feet of water for flood control, recreation and improvement of fishery flows in the Truckee River. Storage began in January 1963.

Seney: That's Sierra Pacific Power's.

Roubique: Well, it's primarily a private reservoir, although one end of the lake is on National Forest. We don't have any facilities at Independence. Only Sierra Pacific Power has facilities. The end of the lake that's on National Forest is relatively sensitive. It has a native population of Lahontan cutthroat trout, and we try very hard to—

Seney: Limit access in there.

Roubique: Limit access so that people don't have an impact on that population.

Seney: That's at the far end of it?

Roubique: Uh-huh.

Seney: So they run up the Little Truckee to spawn and then come back down into Independence.

Roubique: Uh-huh. It's actually Independence Creek.

Seney: I'm sorry, it is Independence. It would be hard to get into the upper Truckee [River] from there, wouldn't it, come to think of it.

Roubique: It would.

Seney: I have a hard time picturing all these maps in my mind, so I make these kind of obvious blunders frequently.

What about Martis Creek Reservoir really

has no recreational value, does it?

Roubique: Actually, it does. The Corps of Engineers, who operates Martis Creek, does have a campground at the reservoir there, although it's not a reservoir that works for boats, and I don't believe they allow boats on Martis.

Seney: Have they been able to seal it up at all? I know they've been trying to get it to stop leaking.

Roubique: They've done a lot of work on it, and they still are not holding water at the full level. I don't know if that means their repairs were not successful. I don't know if that means their repairs have not been certified as successful. I'm not quite sure.

Seney: I know there are people who say that this was a blunder, that they should never have built the reservoir there, and there are others who say, "Well, it's a flood control project, and it drains into the aquifer and it makes sense." Where do you come down on this?

Roubique: Well, the Forest Service has a policy of not building dams on earthquake faults, and the dilemma with Martis Creek Reservoir is, it's very close to one of our local active earthquake faults. And so if you look at it from that perspective, you can call it a blunder.

This area, recreation is very popular, so having an additional campground seems like something that's not a bad idea. Probably in

today's tight federal budget for things like campgrounds and dams and that sort of thing, even the Corps of Engineers might think twice about expending the funds for a facility if they were doing it today, with what they know today. I think at the time they didn't know. So rather than criticize at this point, I think they work very hard to make the best of the situation they're dealing with.

Seney: You say "even the Corps of Engineers," because generally they're funded pretty well, aren't they?

Roubique: I would say generally they are funded pretty well, but I think all agencies that are dealing with resource management issues, those are not the highest priority for the federal budget these days.

Seney: Right. How many acre-feet does Martis Creek Reservoir—

Roubique: I don't know.

Seney: I can't remember, either. It's not a lot.

Roubique: No, it's not a lot. I don't remember.

Seney: And if it failed, if the worse thing happened and the earthquake fault reaches the dam, is there any planning on your part or the part of others for what that might mean?

Roubique: I'm certain that the Corps of Engineers has done some contingency planning, although I haven't

been privy to that. I've worked with them other places, and I know that that's something they're very good at and they do a lot of. That's been done for the three reservoirs where the dams have been built by Reclamation, and they've been very diligent about staying on top of the whole question of earthquake and stability.

Seney: Since the failure of the dam, where was it, Montana, Wyoming, in the seventies, that Bureau of Reclamation dam, and know I can't remember the name of that one, they're very, obviously, sensitive to failure.⁷

Roubique: I think we all are. None of us wants to be the agency that manages a facility that fails and people are hurt or injured.

Seney: Right, exactly. What about Donner Lake? Is that at all in your area?

Roubique: Well, it is within the boundary of the Ranger District, but it's not an area that I have any management responsibility for. The land around, the shoreline all around it is all private. There is a portion of it that's state park, but there isn't any National Forest System land right

7. Dr. Seney is referring to the 1976 Teton Dam failure in Idaho. Teton Dam was planned as the major feature of the Teton Basin Project in eastern Idaho. On June 5, 1976, shortly after construction was completed, the dam suffered a catastrophic failure, causing over billion dollars worth of property damage and 11 casualties. For more information, see Andrew H. Gahan and William D. Rowley, *The Bureau of Reclamation: From Developing to Managing Water, 1945-2000*, Volume 2 (Denver: Bureau of Reclamation, United States Department of the Interior, 2012), 820-832.

around the shoreline.

Seney: So you don't really get involved at all in what goes on up there?

Roubique: No.

Seney: And you're smiling again. That's a very busy place.

Roubique: It's a very busy place, and very challenging issues. Folks live right on the lake. Folks come and recreate on the lake. Some folks want to keep water in the lake and some folks want to let water out for the fish. There are, like most places, some tough issues there.

Seney: Right. And the water is split between T-C-I-D [Truckee-Carson Irrigation District] and the power company. They own it, essentially, and can drain it.

Roubique: Well, drain it, no.

Seney: Or use it, I guess.

Roubique: Yeah. They own the portion that's above the natural rim. Donner is a natural lake, as opposed to the three that are on National Forest. There is a dam on top of the natural rim, and that's the piece that Sierra Pacific and T-C-I-D share. From the natural rim on down, they have no ownership of that.

Seney: How much is in the natural rim and how

much—it's only about 10,000 acre feet they own, isn't it?

Roubique: Yeah, it's a small amount. I want to say it's a couple of feet.

Seney: Yeah, right, because I think they own it 50-50, about 5,000 acre feet apiece, which in a lot of places is not a lot of water. On the Truckee, it's a lot of water.

Roubique: It is. Every drop's a lot.

The TROA Negotiations

Seney: Yeah. Have you been involved in the TROA negotiations?

Roubique: I haven't actually been involved in the negotiations themselves. I have given quite a bit of input, but I haven't participated. The 101-618 clearly identified that the spokes agency for the federal government, for all the agencies, was Department of Interior. And so I've worked hard to provide input, but to honor that lead agency designation that Interior's gotten.

Seney: Who do you deal with on the federal side, generally, when you offer your input? Where does it go?

Roubique: Well, it varies on what kind of input. I actually have given input to Fish and Wildlife Service. I've given input to Reclamation. I actually at times have given input directly to Bettencourt.

Seney: [William D.] Bettenberg.⁸

Roubique: Bettenberg, I'm sorry. I know a Bettencourt. Sorry.

Seney: I won't tell him you got his name wrong.

Roubique: It's okay. I mis-speak from time to time. And so, depending on the issue, I have given the input wherever it seemed appropriate.

Seney: Let's talk about the issues. What would you give to Fish and Wildlife Service, and would they come to you, or do you volunteer it?

Roubique: Well, they have, at different times, come and asked us how we might go about addressing certain issues—for example, for the E-I-S [Environmental Impact Statement]. They chose not to adopt the processes that we would use for some of those issues, probably because they would have been very complicated and expensive analysis for them to enter into.

Seney: Tell me what you mean, in more detail.

Roubique: They approached me early on and asked, because we do extensive cumulative effects analysis on all of our projects. And they came

8. William D. Bettenberg participated in Reclamation's Newlands Series oral history project. See, William Bettenberg, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2009, www.usbr.gov/history/oralhist.html.

and asked how they might go about accumulative effects analysis. I described the way we do that, and for them to do that, given how large this project area was, I believe they decided it was more complicated and expensive, because generally when we do it, we do it on a much smaller project area. The thousands of acres they would be talking about made that, I believe, pretty complicated, and perhaps even overwhelming, to think about.

Seney: Okay. Let me turn this over.

END SIDE A, TAPE 1.
BEGIN SIDE B, TAPE 1.

Seney: . . . ask you what you mean by accumulative.

Roubique: Accumulative effects analysis. For example, if we're going to harvest trees in an area, we're going to do a thinning, let's say, we will take a look at the entire watershed that that project is located in. We will assess what other things have happened in that watershed that might have negatively affected water quality, and we added up all of those cumulative effects and we determine from that whether or not—

Seney: That might be things like cattle grazing or—

Roubique: Cattle grazing, harvesting on private land that's within the same watershed, residential development. Paving can affect it. Any kind of land-disturbing activities. So, we do a

cumulative effects, essentially an additive effects, and if our project would take a particular watershed to a level that we feel would degrade the water quality, then we may not do that project or we may modify the project to have either less of an effect or no effect situation.

Seney: What's the origin of this kind of an analysis within the Forest Service?

Roubique: The Forest Service works under a variety of laws. This particular question comes from two of those. One, the National Environmental Policy Act, and the second is the National Forest Management Act, and those two require us, they kind of work together and they require us to understand the effects of proposed actions before we take them and to disclose those to the public.

Seney: Now, the E-I-S on the TROA is kind of unusual, because, first of all, it is subject to the NEPA, the National Environmental Policy Act, but it's going on simultaneously with the TROA. Now you're smiling again. A lot of people smile at this, because it's a very odd situation to try to do an Environmental Impact Statement on a process that is not yet completed.

Roubique: It is odd to do that. It's also odd for us—and I believe this is true at some level for all federal agencies. The National Environmental Policy Act, it requires disclosure of effects, but it also is a process to invite public input to decision-

making, agency decision-making. In the case of TROA, the public has been invited to give comment on impact. But generally are not very welcome in terms of providing input to the actual agreement. So the decision is being made, if you will, via a vis these other negotiations.

You could argue that other projects happen the same way. They just aren't quite as visible or it isn't quite as distinctive that you have these two separate processes. I have mixed emotions about that. I'm a believer that the public has a right to have input to what happens on federal land, and when they are being cut out of the process, or feel they are, I think it's a very dangerous precedent.

Seney: Let me go back to the Fish and Wildlife Service and your cumulative effects analysis that they rejected. What part of it did that deal with? I take it it's the upper basin you were talking about here.

Roubique: Well, when they called me and asked how I would go about it, using our normal processes, we would look at the entire watershed that was potentially affected or where any of the actions were included, which would have been the entire Truckee River basin, which is a very large watershed. Now, we would not generally take on a project that large because of the magnitude of that analysis, and it's just too big to make sense of.

I'm guessing they looked at cumulative effects. They just did it a little differently. It's not quite clear to me, looking at their document, their whole file process. I know they are required to look at cumulative effects. I don't think they did it the way I would do it.

Seney: You've obviously looked at the draft E-I-S. I have, too, and I have a copy I downloaded off the Internet, and I think it's the latest one, Working Draft. I have several things here, fascinating documents, each and every one. I think this it. Does that look familiar to you?

Roubique: It does.

Reaction to the TROA Draft EIS

Seney: What is your reaction to that document? How do you see it?

Roubique: My initial reaction was that it was pretty limited in scope. It appeared to me that the Bureau—well, Interior—the authors had not looked at the range of alternatives that appear to be appropriate in terms of a NEPA document. Now, I'm also not personally familiar with Interior's regulations for implementation of NEPA, and so it may be that I'm looking at this with Forest Service glasses on.

Seney: So the Forest Service is likely to have, because of this second act you mentioned, the Forest Service Management Act, a different viewpoint on how you would handle an environmental—

Roubique: No. Actually, NEPA requires that each agency develop regulations for implementation, and the different agencies have different implementing regulations. For example, in the Forest Service, we have an administrative appeals process. So that if a decision is made and the public doesn't like it, they have a right to appeal through administrative processes. And I don't believe there's another federal agency that has that available.

Seney: Is that used much, do you know?

Roubique: It actually is used quite a bit, and we encourage its use, because even though it may be a little painful at the moment when a project's being appealed, it gives you a chance, short of being in court, to try to find a solution that works for everybody. It's been our experience that if you try to do that, by the time you get to court, it's very difficult to get a solution that works. People are generally quite polarized and you may not be able to get agreement, where you might have before that.

We're working on getting better at our appeals process, because there are times where we have been seen by our critics as less than open-minded and less than flexible. If that's the perception, that gets in the way of the public being able to work with us. So, I'm not quite sure if my initial reaction to the Interior's E-I-S wasn't because I was expecting it to look like a Forest Service E-I-S or not. I'm not sure.

Seney: There are only two alternatives that are positive in this—that is, adoption of the TROA or no action whatsoever. Is that unusual not to have a range of alternatives that are looked at?

Roubique: In my experience, that's somewhat unusual, particularly for a project of this scope and scale. They have explained that, though, that they really don't have any more than the two options. They have option A and option B. I'm not sure that I completely accept that, because I have seen them over time, over the period when these negotiations have been going on, when someone came to the table with new information, a different way of looking at things, all five of the negotiating parties have generally listened, and at times they have actually modified the agreement. So, to say that there's absolutely only two alternatives seems perhaps not reflective of what I've actually seen in play in terms of the negotiations.

However, how do you display all that in a document? It's very challenging, I understand that. And I think they've tried hard to make these make sense. I know that that's a criticism I've heard a lot from the public, though, that they expected to see additional alternatives and that they felt that, in terms of displaying effects, that the lack of those other alternatives meant that some of the effects of the various actions that are proposed weren't displayed very well. For example, if you have a certain release, and you either have that release or you don't have that release or it's at one level versus another

level, if there is a level in between those two—perhaps it's better for fish, some particular type of fish—if you don't display that middle alternative, then you don't really get a sense of the difference between that one, and I think that criticism may be very valid.

Seney: So you could say there's a no-action alternative, but within the action alternative, there are sub-alternatives, as well?

Roubique: It appears that way to me.

Problems of Large Flows Below Reservoirs

Seney: I know one of the criticisms that was made about that 1992 release that we mentioned a few minutes ago—and I'm sure you're obviously aware of this—was that it just blew out the fishery below Prosser Creek, especially. That must have been annoying to you. I mean, that's your—

Roubique: That is National Forest, and it's very hard. We actually, over the years, have had problems with the downstream portion from all three reservoirs, because as we've done things to work on habitat improvements, when those huge flushing flows happen, and they happen in a very short period of time, a lot of that work can be completely washed away. In fact, we had gotten to a point a few years ago where we had done work in the Little Truckee between Stampede and Boca, and it had been flushed out enough times that we finally said, "We're going

to quit trying."

I do believe now that the Watermaster and Reclamation and some of the others are paying closer attention. Their argument at the time was, "We needed the water downstream," and I don't remember if it was for *cui-ui* that year or if it was for the cottonwoods or just what it was for.

Seney: I believe that year it was *cui-ui*, they claimed.

Endangered Species Concerns Throughout the Basin

Roubique: I think so. My concern is, I believe we don't want the operation of the system to do anything to create additional new endangered species. That's a possibility. We actually have several species that have recently been listed as Forest Service sensitive. Some of them are aquatic species.

Seney: In this—

Roubique: In this system. Now, Forest Service sensitive is a step below rare, threatened, or endangered, but we know that they are species that we need to pay attention to.

Seney: It's kind of an alert for you.

Roubique: It is. And the Forest Service philosophy is, we want to do everything we can to not list additional species, even if that means that we modify how we take care of an existing listed

species. I believe over time we may get there and get that sensitivity, but it's sometimes hard if you're focused on, let's say, a spawning run of *cui-ui* to remember that you also need to worry about the habitat in the upper reaches of the system.

Seney: I think that was one argument Mr. [Gary S.] Elster⁹ made to me was that, while you're saving one species, you may be destroying others.

Roubique: That's my fear.

Seney: And he said—and perhaps you share this view—that the people downstream, who've been dealing with things more, left you all out of this, to a large extent, and I guess that drawdown on Prosser was the precipitating thing that really got the community involved in this. It was, "Gee, we don't have any problems up there. What do you mean? Pristine area. There's no development, to speak of."

Roubique: I do think they had that attitude. I think that they felt—well, it appeared that folks were really focused on the issues downstream, the issues in Nevada, and that the issues up here, to them, were small, relative to threats of lawsuits by the

9. Garry S. Estler participated in Reclamation's Newlands Series oral history project. See, Gary S. Elster, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation oral history interview conducted by Donald B. Seney, edited by Donald B. Seney and further edited and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2011, www.usbr.gov/history/oralhist.html.

[Pyramid Lake] Paiute and threats of lawsuits by Sierra Pacific, all of the above.

Seney: Truckee-Carson Irrigation District.

Roubique: All of the various entities that were involved. The dilemma, though, is that I think they hadn't paid close enough attention to what was actually going on in the system up here. I know that it didn't take me long to figure out that we have the potential here for lots of issues to become big issues if we aren't careful, and that's whether it's my management or management of the water flows, that sort of thing.

State of California and the Upper Truckee River Basin

Seney: One of the things, these conversations sort of meander, like the creeks and rivers do. That's all right, because one subject leads to another. We'll get back to the Fish and Wildlife Service in a minute. But part of this issue of what went on up here, people have said to me, is the fact that the state of California, in its negotiations over these matters, Interstate Allocation and TROA and others, didn't look out after the interests in the upper Truckee River basin this side of the Nevada border. Would that be your feeling?

Roubique: It appears that the folks with the state, first of all the state delegation, congressional delegation, that agreed to 101-618 did so without, I would say, the kind of in-depth knowledge that would have made a better decision or a more-informed

decision.

I think that's also true with the folks in [California] Department of Water Resources that have been negotiating. Their focus over the years has primarily been Central Valley, and I think they're very good at that. This area up here is an area that has not brought them a lot of issues. They haven't spent a lot of time. They don't know much about this system. And so early on, it was, I believe, something perceived to be, "Let's do this quick and dirty and be done with it."

However, when the issues began to come up, I think they have tried to understand the local issues. They do seem to worry, though, that what may happen here may affect things that they are doing in the Bay-Delta¹⁰ or up here or in Southern California, and in some cases their policies are similar to policies in Nevada. And they don't want to have anything happen that would threaten or set a precedent in the Central Valley, the Bay Delta, Southern California, and I think there's a fear on their part about that. So they don't always bring forward some of the issues, that I believe are real issues, that the locals have brought to their attention.

Seney: What would be some of these things you think they don't want to establish as a precedent?

10. Referring to the delta of the San Joaquin and Sacramento rivers—often referred to as the Bay-Delta. This is located on the northeast quadrant of San Francisco Bay (San Pablo Bay). The water from the Delta exits to San Pablo Bay through the Carquinez Straits.

Roubique: One is, anywhere we take water out of a mountain system and use it downstream for municipal and industrial, irrigation, whatever, type of water, particularly if you have a series of dams or pipelines or whatever to move that water, you're changing whatever's going on in that natural ecosystem. Usually, that water's going downstream and is being sold at a very high price. So somebody's generally making a pretty good profit off of it. Almost never is there an investment made in that ecosystem that that water is being extracted from.

I know that that's been one of the subjects that was surfaced by local folks, that some investments needed to be made in habitat and in recreation facilities and that sort of thing up here to compensate for the effects of having dams and reservoirs and diversions, that sort of thing, and that could be a very costly precedent to set for other parts of California. So, if the state negotiators take that to Nevada, negotiated for this portion of California, then in a way they may have hurt themselves in other places.

Seney: In the so-called counties of origin, you mean, where the Central Valley water comes from, the eleven counties?

Roubique: Uh-huh.

Seney: That's interesting. The claim is made they just don't know much about this area. They're based in Sacramento, and, again, their perspective is the Central Valley, and/or that they were more

interested in getting the Interstate Allocation over Lake Tahoe settled. That was more important to them than this little stretch of the Truckee River that happens to be in California.

Roubique: I don't believe it was intentional. I believe it was an honest oversight on their part, that they didn't really realize what the effects might be. They didn't think about them.

Seney: Well, that's how bureaucracies work, isn't it?

Roubique: And they generally don't have a lot of experience working in the mountain counties. They have tons of experience when the water gets down to flatter ground, but they don't have a lot of experience working with this kind of a system.

More on the Draft EIS

Seney: Let's go back to the Fish and Wildlife Service. They asked you about the E-I-S. Were they the lead people on doing the E-I-S? Is that why they came to you?

Roubique: My understanding is that Reclamation has remained the lead, even on the E-I-S, although it's a Department of Interior document. So Fish and Wildlife Service were assigned certain pieces, certain parts. Reclamation retained certain parts. They had certain expertise around water engineering and dam engineering, that sort of thing, flows and models. Although there are people who question whether the model had

experts working on it at all. I'm not a water modeling expert.

Seney: I know there are a lot of questions about the modeling.

Roubique: I hear those things and I've read the, I believe it was a U-S-G-S [United States Geological Survey] report that speaks very negatively about the quality of that model.

Seney: Right. Was this the Environmental Defense Fund model or the—Sierra Pacific had a model, the Bureau had a model.

Roubique: Well, the report that I believe I remember reading—I don't actually have a copy of it—was a U-S-G-S report.

Seney: Right, I remember that.

Roubique: They were criticizing the Bureau's model, although I know that there are other models, and some of them more secret than others.

Seney: Yeah, right. The more secret ones would probably be, what, Sierra Pacific, you think?

Roubique: I would guess. I think Sierra Pacific has played this negotiation very close to the vest. And so I feel confident that, because of their economic interests, that they have not put all their cards on the table, including, perhaps, what they may know from their own water modeling.

Seney: My understanding, from talking to other people, is that there are a lot of people that accept their data on the river, on the Truckee. Joe Burns,¹¹ who's been their engineer, the private consulting engineer from Sacramento for some time, has a good reputation, and that a lot of the data and the modeling has come from Sierra Pacific Power. Is that your understanding?

Roubique: I'm going to say that's probably true, but I'm not as knowledgeable in that area as others are.

Seney: Back to the Fish and Wildlife Service, did they come to you for anything else? Did they ask you, or did you volunteer anything to them?

Roubique: We volunteered all of our sensitive species lists, because we knew that they were responsible for that portion of the E-I-S. And I have to admit, they probably have been in contact with my biologists from time to time, and I know my biologists reviewed the document and gave feedback as part of the feedback process when it was released.

Seney: That's something a biologist would come to you with and say, "I'm looking at this, and here's what I'm going to recommend"?

11. Joseph I. Burns participated in Reclamation's Newlands series oral history project. See, Joseph I. Burns, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2010, www.usbr.gov/history/oralhist.html.

Roubique: I actually asked each of the specialists to prepare a report, and we got where they felt there was feedback that was important and going to be valuable. The three reports that we submitted, there was some limited amount of wildlife information. The fisheries biologist did a report, and I thought presented quite a bit of information, and my recreation staff presented a report on the effects on recreation.

Seney: What I'm trying to get at is, they come to you, but is there a way that you know what they're doing so that you can offer things that you think they may need?

Relations with the Bureau of Reclamation

Roubique: They actually have left us—at one point in time, we had an employee that actually went to work with the Bureau in their office in Carson City. It was a Forest Service employee. They canceled that agreement with us after about a year and decided to do their own. That person was working on recreation, and the intent was they would provide the recreation write-up. That person, when they retired, the Bureau decided not to continue the agreement, and they decided to do their own recreation write-up and report.

From that point on, when they decided not to, they actually have left us out of the information communication loop. And we frequently don't even get copies of the documents when the public gets them. So I've

had to call, on almost every occasion, and say, "You didn't send us anything, and I understand that various folks in the community have gotten it."

Seney: What's the reason for that?

Roubique: I don't know. They've told me that it was just an oversight.

Seney: Do you believe that?

Roubique: Well, I believe it could be just an oversight, but I also believe that it could be intentional.

Seney: It would seem to me that if they asked—

Roubique: I'm suspicious.

Seney: Sure, of course. I mean, I would be, too.

Roubique: It's happened more than once. I'm suspicious.

Seney: Right. And the Bureau has a certain reputation, does it not, in terms of the way it operates?

Roubique: It does have that reputation. In fact, there was a point in time, prior to 101-618 being passed, when there were some negotiations going on under the Newlands authority, and I had a call from one of the staff engineers in the Carson City office, saying, "You're being left out of this intentionally. You need to call—(because they hadn't notified us that there was anything going on or any negotiations were happening). You

need to call and ask for a copy of this or you won't get it."

And so we did, and we got it, but I'm not sure it made a difference. Frankly, the Bureau ignored input from the Forest Service until the community got involved in '92. That was all the way to the secretary's level.

Seney: Is that right?

Roubique: Actually, the under secretary's level. The Forest Service raised some of the issues, particularly around recreation and the effects on recreation, from under secretary to under secretary back in the probably mid-eighties, and they did nothing with the input.

Seney: You mean, from Under Secretary of the Agriculture to Under Secretary of the Interior?

Roubique: Uh-huh.

Seney: But in '92, when the Truckee community got involved and others, then they were able to—

Roubique: Make a difference.

Seney: Yeah. I guess, was Mr. [John] Garamendi the Under Secretary then? Was that the one in Interior?

Roubique: It was before Garamendi.

Seney: That's interesting that they would—why would

they leave you out? Is it just normal bureaucratic wanting to handle it themselves, and if they get you involved, you're only going to raise questions and delay for them, or maybe make things turn out a way they don't necessarily want them to turn out?

Roubique: Well, the dilemma with our involvement is that we have responsibility for some things that they might be able to either pay less attention to. I know that they have direction. It's actually congressional direction, if you will, to deal with certain issues. But they can tailor a particular negotiation or agreement to put less emphasis on, let's say, recreation or wildlife or fisheries in any one project.

I believe that the dilemma with us is that we aren't willing to ignore recreation issues as they relate to this area or ignore the fish and wildlife issues as they relate to this area, and so we complicate the picture. I'm confident that it's because we complicate things. You know, it just adds additional issues to something, and frequently Reclamation appears to be told, "This is the outcome. Figure out how to get there."

I believe, because they are a much more centralized organization—all of Interior is very centralized in terms of the way business gets done—a lot of decisions get made by their Washington office and then they get implemented, figure out how to make this happen at the local level. The Forest Service is much the reverse of that. We're very

decentralized, and most of our decision-making is at the local level, as opposed to at the Washington level, or even forest or regional level. And so we also appear to be somewhat out of control to those agencies that are used to a very centralized model.

Seney: So you, as the district ranger, would have much more authority over what goes on in your bailiwick than, say, the project manager would for the Bureau of Reclamation in Carson City?

Roubique: It appears that way to me.

Seney: I'm wondering, back to this, you have this recreation specialist go over, and I guess still be paid by you, but work in the Carson City office.

Roubique: He actually was paid by them through us, an odd arrangement. But it was an attempt, because we actually have much more experience and expertise in the recreation area, particularly for this area, than they do.

Seney: How did that come about? Why did that arrangement occur to begin with?

Roubique: They actually approached us and said, "We don't have a recreation person on our staff. We'd be willing to pay for it. Would you like to put one of your folks on this project and make them part of the I-D team."

Seney: I-D team, meaning?

Roubique: Interdisciplinary team. It seemed like a good idea. The dilemma with it was, in my opinion, that they operate very differently. They knew the outcome they were looking for, and all the documents were being built to support that outcome. We, on the other hand, start with a general idea of where we're going and take a lot of public input along the way and develop different alternatives. So our process is different, and we have been a big thorn in their side. I don't know that. They've never said that.

Seney: You sent someone over there who was near retirement, so someone who was very experienced and a longtime employee of the Forest Service, I take it. Were you in contact with this person on a regular basis?

Roubique: Yes.

Seney: What did they tell about you when you said, "How are things going on over there?" What did they tell you?

Roubique: Well, it was fairly common—the person that went over there was Terry Randolph, and it was fairly common for Terry to say—we would say, "This is the best solution, let's say, from a recreation perspective for this reservoir."

He'd say, "Well, they're not going to give you that. This is the best they're ever going to give. So can you live with that?"

I think it came back to that they knew the

outcome they were expected to produce, and that wasn't always an outcome we were completely comfortable with. And so I think Terry worked very hard to try to help us understand where they were coming from.

There were also times where what we were asking for might not have been realistic in terms of, you may want Stampede to be full all the time every year, but you can't get it full some years. If you release enough to manage during the winter for flood control, then it may never fill that summer. And so some of those expectations that either our public brought us or that we may have had may not have been realistic. And so he was very good at helping us understand some of the modeling and that sort of thing and brought us to a more realistic place in terms of what could happen.

Seney: When he would say to you, "This is all they're going to give you," would you pick up the phone and call Ed Solbos,¹² would it be at this point, or was it Frank Gimmick [phonetic]?

Roubique: There were times where I talked to Ed and there were times where I talked to [David]

12. Edward Solbos participated in Reclamation's Newlands Series oral history project. See, Edward Solbos, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and desktop published by Andrew H. Gahan, historian, Bureau of Reclamation, 2017, www.usbr.gov/history/oralhist.html.

Overvold,¹³ who was his assistant.

Seney: That didn't seem to do any good?

Roubique: Well, I have the impression that the folks at Reclamation don't feel like they're in control of this, that someone else had decided the outcome, or is deciding the outcome. And that they are expected to produce documents that support that. You know, it's not—

END SIDE B, TAPE
BEGIN SIDE A, TAPE 2.

Seney: My name is Donald Seney. I'm with Joanne Roubique, in her offices in Truckee, California. It's August 24, 1998. This is our first session and our second tape.

You were talking about the Bureau and how the decisions were made there.

Roubique: On more than one occasion, I have seen them negotiate an agreement, let's say for sale of water or water use, and then write the environmental document, which for me feels backwards. It feels upside down and backwards. That's deciding first and then documenting that, or making the analysis come

13. David Overvold participated in Reclamation's Newlands Series oral history project. See, David Overvold, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney; further edited and desktop published by Andrew H. Gahan, 2017, www.usbr.gov/history/oralhist.html.

out. Again, this may come from our regulations being somewhat different for implementation of NEPA than theirs. I don't know that.

Seney: Or it may come from their attitude toward the NEPA requirements.

Roubique: It may.

Seney: And you're really smiling now.

Roubique: Since I haven't seen their regulations, I keep hoping that it's that their regulations are different.

Seney: With your man over there at the Carson City office and you calling from time to time to raise questions that they couldn't resolve, I expect, when his time to retire came, their view was, "Why continue this?" Did they say anything to you?

Roubique: Well, they said they didn't have the money to continue the agreement. They offered to come up with some money for us to have a person to work part time on the project. I actually consciously decided not to try to do that, and that was partly because I was concerned that their document might say some things that I couldn't support. And if that were the case, I didn't want them to say, "But you were a party to everything that's in here."

I may have been overly suspicious at that point, but I needed to be able to, for the public

that I respond to and the resources that I'm responsible for, be able to comment honestly on their document. And I was a little worried that, because we hadn't been able to make very much progress with them, in my opinion, in terms of some of the recreation issues at that point in time, I was not comfortable having someone on the team, and having the documents say that, and then perhaps being quite critical of the document if I couldn't live with the result. So, we decided not to put a person on their team part time, and they decided to have their Denver Office deal with the recreation issues.

Seney: And that's worked out, as far as you're concerned?

Roubique: Well, I think it worked out. Interestingly enough, we're going to end up with a better situation for the public if the negotiated agreement is implemented than what we have with current decrees and agreements.

Seney: When you say "the negotiated agreement," you mean the TROA, the new TROA?

Roubique: Yes. Yeah, I'm sorry. And although it may not be everything that I wish it was, it's better than what we might end up with. And from that standpoint, we definitely gave them some input and some feedback when the draft E-I-S came out. At the same time, it wasn't without some realization that some progress had been made over time and that they were paying better attention to some of the recreation and fisheries

and wildlife issues. There are problems with that document, though. It appears not to always—there's a statement made in Part A and it doesn't match up with—Of course, I've never issued a document that had that kind of a problem, she says cynically.

Seney: Yeah, right [Laughter] Well, it's a very complex document.

Roubique: It's very complex. There's a lot going on.

Seney: And apparently it's getting more complex as time goes on. First of all, I should have asked you, how long have you been in this position?

Roubique: I've been in this position since the end of 1982.

Seney: A long time. Is that a long time with the Forest Service?

Roubique: It is. I'm not the longest-term ranger, but it is a relatively long time.

Seney: I wanted to ask you, so maybe let me do it now. You were talking about the higher-ups in the Bureau of Reclamation, having to defer to higher-ups. Who do you report to? Who's your boss?

Roubique: I report to the Forest Supervisor for the Tahoe, and that person is just changing. Right now it's a woman named Judy Tartalia [phonetic].

Seney: And then beyond that, who's next up the line?

Roubique: Judy reports to the Regional Forester in San Francisco, and the Regional Forester reports to the Chief of the Forest Service.

Seney: Who do you normally talk to on matters that you need to talk to somebody about higher up? Or do you much?

Roubique: Well, when it's needed, I don't hesitate to go all the way to the top, if that's appropriate. You know, it depends on the issue, depends on the topic.

Seney: Within the culture of the Forest Service, that's okay?

Roubique: We're very open.

Seney: You mean the Chief Forester when you mean the top?

Roubique: Right. Well, in fact, I actually even have gotten to know the Under Secretary for Natural Resources, Jim Lyons. He's been here numerous times. We, in fact, have talked about TROA and what's going on with the negotiations and the E-I-S on a couple of occasions. He has an interest in that.

Seney: I would think your long-standing tenure here makes it easier for you to do that, doesn't it?

Roubique: It probably does. I guess I've gotten gutsy in my old age. But it's also a part of the Forest Service culture. I would say that within the Forest

Service culture, it's really okay to surface issues or bring things to the attention of folks above you. Frequently, we're solicited for that kind of comment and feedback. Our current chief has several times this past year sent letters direct to employees, may bypass the chain of command, sent to them all employees, as opposed to the cascading letter effect. You know, I'll send it to my direct reports, who send it to their direct reports, and so forth.

I think that openness is fairly unique in federal agencies. At least that's been my experience. Most of my friends that work for other agencies kind of look at me strangely when I describe that I had a drink with the Chief of the Forest Service at such and such a meeting, and "You what?" And it's a relatively open climate.

Seney: When you talk about how much more autonomy you have here than, say, the Bureau of Reclamation project office would have, are you likely, then, to simply let the higher-ups know what you're doing to give them a heads-up, to make sure they're not blindsided, or do you raise questions for them to resolve, maybe both?

Roubique: Both. It depends. If it's an issue that I feel comfortable resolving or comfortable with it staying at my level, I keep folks informed and that sort of thing. Or if there appears to be no resolution I keep them informed, if something is going to blow up or become a real big issue. But I feel real comfortable making that call and

that sort of thing. If I need help, I also don't hesitate to ask for help, and generally the agency's pretty good about responding.

Seney: By this time, you must know the ins and outs pretty well, I would think.

Roubique: I think I do, but every time I get too cocky, I learn that there are some new twists.

Forest Service and Public Law 101-618

Seney: Since you've been in '82, you must have gotten involved in the Newlands stuff. You said even before you came, when you were in the Nevada City office, you did the recreation studies, and you said that was in the late seventies, I think you said, '77. Were you at all aware of what was going on with the Interstate Compact in the mid-eighties, when that was being defeated by the tribe in the Senate in '86?

Roubique: Actually, I would have to say that I wasn't all that aware of what was going on, and it's probably one of the reasons that we were somewhat surprised by 101-618. The Forest Service, to my knowledge, was not included in the discussions around that, and that may have been an oversight or it may have been intentional. I'm a little suspicious that that one may have been intentional, because we potentially were going to compound, or even confound the issues, if you will.

Seney: Right. You would have raised issues on the

upper Truckee [River] here on the California side, that really weren't taken into consideration.

Roubique: In my opinion, they weren't. But again, when you hear folks who were involved in those discussions, they perceive this area as not issue-laden or no big deal. Therefore, in their minds it wasn't a problem that they didn't surface those issues.

Seney: Yeah.

Roubique: They thought that what they did was fine. And I think they were honorable people. I don't have a reason to think otherwise.

Seney: Well, these issues had been negotiated and resolved in the sixties between California and Nevada, and that resolution had been voluntarily adhered to by both states all along, so that's just folded into 101-618. California's there only to make sure that it gets folded in the way they agreed. And Nevada, too, their part. I mean, they wanted other things. But were you aware those negotiations were going on?

Roubique: I was really only aware of them towards the very end.

Seney: And then what about 101-618? When did you become aware of that?

Roubique: It actually had been passed by the time anybody, that I'm aware of, in the Forest Service knew about it.

Seney: Did you recognize right off the bat that this was going to cause you problems?

Roubique: Not necessarily. I think early on, I, like some others, knew that something needed to happen different than what had been going on. The agreements, the old decrees and so forth, were appropriate for the time and place that they were established, but things are different today. Public use is different. Public needs are different. What we know about the resources are different. It has been for some time, in my mind, a need for something to be different. Exactly what that was, I think, remained to be seen. So, I had kind of an open mind about whether or not it was going to be a good thing or a bad thing. That was really going to be dependent on the outcome of the negotiations.

Seney: Then when the TROA negotiations began pretty quickly after 101-618, so by '91 they're under way. But did that come to your attention, or was it this Prosser drawdown in '92?

Roubique: I knew they were going on, and along the way had asked to be kept informed. That would be normal, since Interior was the lead for the federal government. I found that I generally wasn't kept informed, and when I offered input was basically told, "Hey, this is all bigger than all of us. We're not going to be able to bring your issues forward, because none of us are going to be able to have an effect," which may be from their perception that decisions get made at the top.

Seney: Who was telling you this?

Roubique: That would have been before Dave Overvold, and I can't remember who was there before Dave. I apologize.

Seney: No, that's all right. I don't know who it is either, but it was someone in the Bureau of Reclamation who said this.

Roubique: Right.

Seney: But it was the drawdown, then, in '92 which kind of changed all this for this area.

Roubique: Well, we had had serious drawdowns at different times along the way. I talked about the letters that went between under secretaries. That was related to drawdowns related to recreation.

We were attempting to negotiate with them that they would alter the releases among the three reservoirs to keep all of them at some moderately reasonable level for recreation through the end of the summer season. At that time, they were drawing down Stampede dramatically every year, and we said, "Well then, how about if you build some facilities at Boca, because our facilities are being left high and dry at Stampede."

Seney: Meaning, the Bureau build them at Boca?

Roubique: Right. They just couldn't see their way clear to

do that and that sort of thing. We were asking at that time that some modifications be made in the way the releases were made and that sort of thing, and at the time, we were told, "There's no room for negotiation with the decrees and judgments and agreements that have been established."

Since then, when the community around Truckee got involved, we found that there may actually have been some room for flexibility. It just took getting the right people to the table. Of course, the problem back then may have been that nobody was at the table and nobody was talking to each other. That's my perception of how things were back then. And we had a different Watermaster at that point in time.

Seney: Claude Dukes?

Roubique: Yes. He was not, in my opinion, anywhere near as open to the concept of flexibility and negotiations as I think Stone is.

Seney: He's a more old-fashioned individual, maybe, if that's the right word, or hard-nosed.

Roubique: Well, I don't know that I'd put those words on it. I just know that when he would talk about this, he didn't see that there was any flexibility, whether or not that's because that's the way he read all the documents he was responsible for.

Seney: The Orr Ditch Decree¹⁴ and the General Electric Decree and all that.

Roubique: Or if that was just an added—I don't know what it was. He didn't see flexibility there.

Seney: And it turns out there is flexibility.

Roubique: Apparently.

More on the Complexity of the TROA Negotiations

Seney: Then I was going to ask you to comment on the TROA negotiations overall, as you see them. They were supposed to be wrapped up long ago. And you're smiling again.

Roubique: Well, often we in government think something should take a certain amount of time. And we really don't estimate very well the complexity, particularly when you bring in a variety of

14. "The Orr Ditch decree was entered by the U.S. District Court for the District of Nevada in 1944 in *United States v. Orr Water Ditch Co., et al.* The decree was the result of a legal action brought by the United States in 1913 to fully specify who owned water rights on the Truckee River and had rights to storage in Lake Tahoe. The Orr Ditch decree adjudicated water rights of the Truckee River in Nevada and established amounts, places, types of use, and priorities of the various rights, including the United States' right to store water in Lake Tahoe for the Newlands Project. The decree also incorporated the 1935 Truckee River Agreement among Sierra Pacific Power Company (now Truckee Meadows Water Authority), TCID, Washoe County Water Conservation District, Department of the Interior, and certain other Truckee River water users. See Truckee Carson Irrigation District, "What is the Orr Ditch Decree and why is it important?" <http://www.tcid.org/support/faq-detail-view/what-is-the-orr-ditch-decree-and-why-is-it-important> (Accessed 5/2016)

different interests, how long certain negotiations may take. Something that initially you say will take a few months may take years. A few years may take many years. And I think in this case, partly it was a result of their not realizing the complexity of the issues. They had an idea of Sierra Pacific's issues and the tribe's issues. They didn't think either of the states had really big issues, and the agencies were just there to respond to minor administrative things. And it has turned out to be much more complicated than that.

I also think that they underestimated the sophistication of some of the negotiators and how much detail they would get into around many things, including—Well, I think all of the parties at the table have brought a level of sophistication and attention to detail that was underestimated when they decided how much time it ought to take.

Seney: Does this mean that if some of the parties have more sophistication than the others, they're able to get what they want, and others don't know enough to raise objections and the process goes more quickly? If the others know enough to raise objections, then the process gets more detailed and complex.

Roubique: I think that's true. I also think that even those that they knew were sophisticated, they had no idea that they'd bring some—I mean, there are things that have been brought to the table that have been surprises, I believe, for everybody.

Seney: What would you think of in that regard?

Roubique: Well, an issue that's been locally an issue of interest has been some of the depletion language, some of the well language, some of the attempt to put in place heavy regulation around well drilling and some of those kinds of things, regulation that I'm not aware of, that kind of complexity, existing probably anywhere.

Seney: The point of those regulations being that the wells be situated far enough from the river that they're not drawing out of the river itself. Is that sort of what's going on there?

Roubique: Well, that's the basic concern, that we keep separate taps on surface water and taps on subsurface water. There's a place where subsurface and surface come together in the aquifer, and the worry is that if you allow a well into one, you maybe allowing a well into the other, and protecting the water right.

Seney: There are actually zone maps that have been devised.

Roubique: There are zone maps, but the complexity was added in, who had to get permission from whom and who got to say if it was okay and who got to appeal it and who had to prove it, and that kind of complex regulation has been proposed. It's been pretty interesting.

Seney: I noticed that, that there's a good deal of well language. I mean, I can understand that, from

the point of view of the—this has got to be Sierra Pacific Power and the tribe, I would think, pushing these kinds of questions.

And then the very complex, and maybe unresolvable, question of depletion. Here you've got 22,000 acre feet per minute up here to be drawn out of the aquifer, out of the subsurface, and 10,000 surface feet. But now the question of depletion. Here you've got, what, 32,000 acre feet, I guess is the allotment, and I understand only about 2,600 feet is being used currently in this area. So there's a lot available, unless you put the depletion complication in, which then gets to how much gets returned. Explain that a little. How do you see that issue, and is that important to you? You must live in this area, obviously.

Roubique: I do live in the area, and I would say it's more important to me as a citizen than it is in my role with the Forest Service.

I have a concern about the depletion question because there are some techniques that will help you do a better job with water quality, for dealing with water that is not at the quality standard that you want to put back in the river, things like spreading it over fields or spreading it on ski runs, for example, during the summertime. It's treated effluent, but perhaps it's not yet the quality that you want to cross the state line.

Seney: But it would be if you spread it.

Roubique: Right, once it goes through the filtration of plants and soil and that sort of thing, and eventually ends up back in some aquifer somewhere, and that's part of what's so difficult. Nobody knows, if you spread it, where it's going to end up. Is it going to end up in the deep underground aquifer or is it going to end up in the surface water or where it's going to go. And there's so much we don't know about or local geology that, short of expensive extensive testing, there's no way to really determine that.

Things like that, which are, in my mind, good practices. There are things that are good resource management maybe not allowed because of this whole question of depletion. Folks downstream are so worried that, when people use water, they won't put it back in the river, and therefore, they won't get it downstream. But when it goes back in the river, we have an obligation, because we know it's going to cross the state line, for it to be clean when it crosses. So there's that dilemma of how do you get it clean at a reasonable cost.

Seney: Right. Because you could build a really sophisticated sewage treatment plant that would guarantee it was going. That would make them happy. Then they could see it flowing back in, and perhaps it would be clean enough at that point to meet the Interstate Quality Standards.

Roubique: Truckee actually does have one of those. It has one of the most sophisticated sewage treatment

plants in the world. The dilemma is, as it grows, is it fair to put that burden, that kind of cost burden of that very expensive tertiary treatment plant on the backs of a very small community?

The folks in this community don't think that it's very fair. They believe they should be able to use other accepted practices, like spreading treated effluent on fields or whatever, as acceptable alternatives. I'm not quite sure where that's going to come out.

Seney: This is a new matter, isn't it, that's been introduced?

Roubique: Relatively new, within about the last year.

Seney: Kathleen Eagan¹⁵ told me that she didn't really appreciate what this meant when Bettenberg raised it to her. And when she took it back to the advisory committee that's been drawn up, they said, "Oh, my God, don't you realize what you've done?" She said she hadn't realized and was very self-critical that she didn't know enough, really, because these issues are so complex and difficult.

Roubique: They're very complex, and it's made it harder for

15. Kathleen Eagan participated in Reclamation's Newlands Series oral history project. See, Kathleen Eagan, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation oral history interview conducted by Donald B. Seney, edited by Donald B. Seney and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2011, <https://www.usbr.gov/history/oralhist.html>.

folks in the Truckee area, because although we have some water purveyors that are relatively sharp and sophisticated, even they have had to struggle with some of the topics in some of the negotiation. There appear to be folks that are even smarter, who are saying, "Well, what about this?" You know, a particular proposed agreement clause may on its face look like no big deal, but when examined in a little more depth, you find out that it may technically or from a cost standpoint be fairly dramatic.

Seney: Are you at a point where anything that comes from Sierra Pacific or the tribe in this regard you're going to look at pretty carefully?

Roubique: I would say that everyone who's involved in this from the Truckee area probably feels like they need to be very careful as they deal with—my sense is, everyone who is at the table. I don't think that it's restricted only to Sierra Pacific or only to the tribe. As I said earlier, the California negotiators sometimes have something else in mind. They're worried that if they negotiate this for the Truckee area that it may have an effect on what's going on in the Central Valley. So, they may not take something to the table in quite the way that folks in this area would like. So, everyone is, I think appropriately, trying to be well informed and not automatically trusting that our local interests are shared by the other people at the table.

The Truckee River Basin Water Group

Seney: As I told you, it was Kathleen Eagan who recommended highly that I speak to you, and I can see why. You're providing another great perspective. How is it you became involved with her in these matters? Was it as mayor of Truckee? Did she call on you, you meet with her?

Roubique: The original group, the Truckee River Basin Water Group, which is the local interest group who formed after the releases in the early nineties, were so alarming to the community. I was actually invited to that by then-County Supervisor Bob Drake. He's the person that actually invited everyone to come to the table. He invited the three counties, Sierra, Nevada, and Placer County, to come to the table, the town of Truckee. Initially, he wasn't sure if he wanted the Forest Service there, because we're the feds, and he wasn't feeling very trusting of the feds in relation to this. But he said, "You come and just be there and answer questions," and I agreed. I understood that reservation. Having the feds at the table can be alarming and scary to much of the public, and certainly to local interests. There's a fear that the 900-pound gorilla called the feds is going to force something down the throats of individuals or locals or interest groups.

Over time, the group invited me to stay as more of a participant. I felt good about that, because they were making progress on some issues that I had been unsuccessful making progress since the late seventies.

Seney: Now, is this an issue that you could go ahead and take part in without raising it with people higher up, or did you let them know you were taking part in this?

Roubique: I certainly had the authority to take part in it, but I certainly also let them know, because water rights are potentially a much bigger issue than just what happens to Truckee. We have folks that are much more knowledgeable on some of these topics than I am. So I wanted to be sure folks were aware in case I needed their help or advice.

Seney: Tell me about how the group worked and what it tried to accomplish.

Roubique: Well, initially the group just tried to understand what was going on, and it was very clear, as people first came to the table, that people had no idea this was going on. Almost no one in the local community, except water purveyors or the sewer district, had much knowledge at all about what was going on. There had been some involvement by some of the ski resorts, but mostly those that were in or right around Lake Tahoe, from a snow-making standpoint. They'd been involved in the early negotiations, from that standpoint.

But most of the locals here, certainly people who like to use the rivers and streams for fishing and people who like to use the reservoirs for camping or boating, they were shocked. They had no idea. Most of them thought that

they owned the water that they could see when they went to these various places. And they were shocked to find out somebody else owned most of it. So, they began quickly to want to figure out how they could influence the process. They realized they weren't necessarily in control. So, then it's a question of, how can I have an influence on this process?

They began organizing first around learning what was going on and why, and inviting speakers to come in and help the group to increase its level of knowledge. And then actually, certain people became more involved with some of the negotiations, either at the actual negotiations or some of the side negotiation processes that were going on. And along the way they've had an influence, and it's been fun to watch. It's been one of the best examples I can think of, of democracy in action, where, for example, the Department of Interior wasn't going to pay any attention to the local ranger, the Tahoe National Forest, the Forest Service, or Department of Agriculture. They're going to pay attention to the local community, and they're going to listen to the citizens and the public. I think it's great. As frustrated as I was, it's even better that the change and the difference has come from public involvement.

Seney: So you see these people, really, as an ally in terms of what you want to do, as well, in terms of operating the reservoirs.

Roubique: I would say yes, but I think that's—

Seney: Let me turn this over.

END SIDE A, TAPE 2.
BEGIN SIDE B, TAPE 2.

Conflicts Among Interests on the Upper Truckee

Roubique: I think that the local interests that have come to the table around this whole subject, sometimes I would say that we're allies, sometimes we don't agree. There was a point where we actually worked hard to identify our interests and figured out where we had agreement and where we had either, not necessarily disagreement, but no shared interest, which I think was quite helpful. Some of the water purveyors, for example, have different interests than the recreation interests, and both of those, at times, can be in conflict with the fish and wildlife types of interests.

Seney: How do their interests differ?

Roubique: Well, from a recreation standpoint, you may want to keep water in the three reservoirs all summer. Well, that doesn't really help the Truckee-Donner P-U-D, who don't collect their water down there. So if they ever wanted to store water, the interest of keeping some of the local water, the local 32,000 acre feet or any portion of it, in those reservoirs, given their current collection systems, that doesn't help them much. It's not a good storage place.

Seney: I guess they can store up to 10,000 acre feet, can't they?

Roubique: Uh-huh. But it doesn't help them to store it at Stampede or Boca, because then they have to pump it back uphill to get it back to the town. It's a tough dilemma. So, that was a place where we didn't share the interest. They all recreate, too, though, so they could see that piece of it, but they have this obligation to their customer base that they need to be finding ways to protect that interest.

Sometimes the reservoir recreation interests and the stream recreation interests are at conflict, where you may want to keep water in a reservoir. You may need it for in-stream flows or for water temperature for fish or that sort of thing, so that was a place. There are times when I'm even in conflict with myself, because I have some responsibility in both of those arenas. So, then it's a balancing act, what's a reasonable solution?

Leadership Qualities Among Citizens within the Truckee Community

Seney: I was very impressed with Gary Elster and Kathleen Eagan both. Very capable people, obviously.

Roubique: Clearly.

Seney: I don't know if you'd expect to—maybe you would expect to find people like that here, because it's, to some extent, an upscale kind of—I guess they're both retired, in a way. But not retired. They're not the kind of people

who'll ever retire. Mr. Elster's busy doing something on some wildlife refuge in Maui, as you'd expect, you know. But they struck me as extremely capable people. What is your overall view of, say, the kind of leadership? Are they typical of the people who came to these meetings? Were a lot of people like that?

Roubique: I would say that they are typical. We're very lucky in that we have an extremely well-educated, extremely intelligent local community. We also, because we are a bedroom community for, certainly for Reno, to a lesser degree Sacramento, and to some degree the Bay area. We have actually folks that commute daily in their airplanes from Truckee to the Bay area to go to work. I'm sure it's not quite daily, but anytime they want.

Seney: Yeah, right, if they want.

Roubique: I think that having those influences have made a big difference in terms of who you find in the community here.

But the other part of this, at the table we actually have folks from the Sierra Valley, from Loyalton, from Sierraville, and you would think that maybe they wouldn't be quite as sophisticated. They don't have as many people. I think the whole population of Sierra County is around 3,000. But those folks that have been at the table from Sierra County have been extremely sharp. In fact, many times they're coming in bringing some important issues to the

table, a new bit of information, that folks here haven't even begun to think about, because they have some tough water issues in Sierra County.

Out of Basin Pumping Allowed by Sierra Valley

Seney: They're the only ones allowed to pump out of the basin, aren't they? They have an 1870 priority to take I can't remember how many acre-feet.

Roubique: I don't remember the number.

Seney: Six hundred acre feet, maybe.

Roubique: That sounds about right, at the diversion ditch up off of Highway 89.

Seney: Yeah. And that outer basin diversion was recognized in the TROA and the Orr Ditch Decree, but they're obviously still anxious the make sure that's maintained.

Roubique: Absolutely.

Seney: Explain that issue a little to me, as you see it.

Roubique: Well, as a I understand it, the settlement of the Sierra Valley was a challenge. They brought, generally, immigrants into the area, heavy to dairy farmers and cattle folks from Europe, that sort of thing, and a part of what was needed to make a go of it in the valley was additional water.

So, for them—and today Sierra County's still very rural and the Sierra Valley is still—I mean, there's development going on, but they have worked hard to retain that very rural community atmosphere. So, you're not seeing lots and lots of subdivisions and small industrial developments and that sort of thing that you might see. If they wanted to really bring in the financial assets, that's one way they could go, and they're choosing not to. I think it's a tough but conscious choice on the part of the residents in the county over there. But for them, their survival is, in their minds, heavily dependent on that diversion from the Little Truckee [River], and I can understand that. They've built their economy. Many of their ranches and farms are heavily dependent on that.

But what's also happened is, they actually have been, in their minds, under assault for some of their underground water. There have been attempts to pump in Long Valley and take the water to Nevada. There are lots of folks that are coming in and they're buying land so that they get water rights and they can drill wells. Folks in Sierra County have actually become relatively sophisticated in terms of figuring out what people are up to, if you will, when they come into town and maybe purchase a piece of ground, with the intent of changing things.

Sophistication of the Truckee Community

Seney: I didn't mean to suggest that these rural people are not, because among the most sophisticated

people I've talked to are some of the farmers, particularly the former mayor of town of Fernley. But I'm thinking here in terms of Truckee. It's a politically sophisticated group, too, the people we're talking about here, and that's got to be very helpful to you and to the issue as a whole.

Roubique: I would say it has been very helpful, and they're very good at knowing who to pull in and how to do it.

One of the things I like about Truckee as a community, it's not done with a vindictive nature. It's generally well informed and with an attempt to take care of all the interests at the table, which doesn't happen in every community.

Seney: You mean something by that, but it's probably off the subject. Go ahead anyway.

Roubique: Well, many communities are, you know, they're very polarized. If they hurt each other, in terms of from one end of the spectrum to the other, that is considered acceptable behavior, or even a bonus behavior. In this community, that's much less true, and folks seem to value working together rather than working at odds.

Seney: Can you give me some examples of the people here reaching out politically?

Roubique: Well, early on, the Truckee River Basin Water Group was able to get—what would you call it?

It was a public meeting, where they had speakers from the various Interior agencies, as well as the Forest Service and some other folks that had interests, to speak to the community. And they were able to have representatives of most of the congressional delegation that's responsible for this area, both state and federal. If they weren't there at the meeting, or their representative wasn't there at that meeting, let's say, they were on the speaker phone and able to direct a few questions, or answer questions, let's say. It's just fun to see that kind of responsiveness from the delegation, as well as the ability for the local community to get them that interested that quickly.

Seney: And that had to help get the Department of the Interior's attention.

Roubique: I'm sure it did.

Seney: Yeah. I've heard reference to a letter that Governor [Pete] Wilson wrote, complaining about these drawdowns, that we've mentioned several times, in 1992. Are you aware of that?

Roubique: Actually, I probably should be, but I don't remember the letter.

Seney: Okay. Well, apparently he wrote a letter complaining about this. When he supported 101-618, he had no idea that it would lead to this kind of negative impact on an important community, blah, blah, blah.

Roubique: California.

Seney: Mr. Elster mentioned that. That, to me, is a symptom, also, of political connection and political influence. How does the Forest Service work with this? They must have wanted to know when this meeting was going on. You were there, obviously, to answer questions. This would be something you'd necessarily brief your supervisors about, congressional contact or—

Roubique: The Forest Service supervisor actually was the person we had come to the meeting.

Seney: The man from San Francisco?

Roubique: No. In this case it was Judy Tartalia, who was there for the Forest Service.

Seney: She's the new Forest Supervisor?

Roubique: She's the Acting Forest Supervisor in Nevada City.

Seney: Is that the person you report to?

Roubique: At the moment. Well, the job's actually been filled, and soon I will report to a man named Steve Eubanks.

Seney: In South Lake Tahoe?

Roubique: No. Actually, in Nevada City.

Seney: But again, this is something that the Forest Service would want to know about.

Roubique: Right.

Seney: That there's congressional interest and all that kind of thing. That's something, I take it, you'd be very careful to make sure that they were briefed on fully.

Roubique: Absolutely.

Seney: Well, I know when I do this project, I've interviewed people in Congress, Senator [Harry] Reid,¹⁶ Congresswoman [Barbara] Vucanovich,¹⁷ and there's an office in the Bureau of Reclamation that I make sure is aware of whom I'm talking to in Washington. They want to know these things, and I can't blame them. If I were them, I'd want to know

16. Senator Harry M. Reid served the state of Nevada in the U.S. Senate from 1987 to 2017. Senator Reid also participated in Reclamation's Newlands Series oral history project. See, Harry Reid, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and further edited and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2013, www.usbr.gov/history/oralhist.html.

17. Congresswoman Barbara Vucanovich was the first woman and the first Hispanic woman to serve the state of Nevada in the U.S. House of Representatives from 1983 to 1997. Ms. Vucanovich also participated in Reclamation's Newlands Series oral history project. See, Barbara Vucanovich, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2013, www.usbr.gov/history/oralhist.html.

them, as well. Has the state of California become more responsive, do you think, to the needs and interests here as time has gone on?

Responsiveness of the State of California

Roubique: I think they have become more responsive, although I think they're tired of the negotiation at this point. And there's a lot going on in water resources, with state water resources right now.

Seney: Right, the Delta Bay, big Delta business.

Roubique: Right. Not too long ago, there was a comment made by one of the staffers for the state negotiators at a meeting here in Truckee that—and I think it was meant as a flippant comment, but I'm not so sure there isn't some truth, that they, as a group, had often wished that the state line was at Donner Summit.

I think this has been very challenging for them to take on this extra workload, particularly when the locals are fairly knowledgeable, and demanding things they aren't sure they want to negotiate or buy into, even though they can see why it appears to be right for this particular circumstance, but they don't want it to be right for other circumstances.

Seney: There is another option. I have an old map at home which has the von Schmidt [phonetic] line on it. Are you familiar with that boundary? That would have put Pyramid Lake and Lake Tahoe solely in California.

Roubique: No. I guess I haven't seen that.

Seney: It was one of the early surveys that was done, and later the border is moved over. It's called the von Schmidt line.

Roubique: Interesting. No, I haven't seen that.

Seney: There was another question that I had in mind before I shared that useless digression with you, and that has to do, we were talking about the local water purveyors and the Tahoe-Truckee Sanitation District. What is their interest in this? What are they doing? And Placer County Water Agency.

The Local Water Agency Interests

Roubique: Well, all of the water purveyors have a responsibility to provide—well, the purveyors have the responsibility to provide service as the community grows, and the community is expected to, and I don't remember the exact numbers, but I want to say double in population within the next twenty years. And so the need for water is going to at minimum double, if not go beyond that. So, that's their concern. Having quality water is a challenge, because we have a very limited aquifer here, and so—

Seney: This is the Martis Creek Aquifer?

Roubique: Uh-huh. And so they need to know that they can get what they need and provide what they need to, given what's here. And they want to do

it at a reasonable cost for the local community. There is a strong fear that a lot of what's been proposed will cost folks in this area a lot of money to implement, without a lot of benefit. So that's, I think, their concern.

The Sanitation Agency takes sewage from Lake Tahoe and the Truckee area, processes it, and then, in essence, puts it back in the river once it's gone through tertiary treatment. Their dilemma is that with the volume, and the volume growing that's coming in, how are they going to be able to do that in a cost-effective manner, without undue burden being placed on this local community. And so their interest is in being able to do that.

I think all of the agencies, both in the treatment side, as well as in the providing service side, how can they do that and keep it reasonable without it becoming so cost prohibitive that no one can afford it anymore? They're struggling with that.

Of course, folks on the downstream side want assurances and guarantees and no changes and everything has to stay the same, but they want more water.

Seney: Well, Reno-Sparks is very concerned about maybe things unraveling and something happening to the 90-10 division between the two, that there will be less water available for them. They're very worried about that.

Roubique: Uh-huh.

Dealing with Senator Harry Reid's Office

Seney: Do you ever deal with Senator Reid's office?

Roubique: Some.

Seney: What sort of contacts would you have with them?

Roubique: Well, gosh. We've had contacts on TROA. We've had contacts on, you know, if they get concerns raised by their constituency, whether it's related to projects that we're implementing or the service they got in a campground or anything.

Seney: What do they have to say about TROA? Who calls you? Mary Conelly usually?

Roubique: Well, I would say that I probably, Mary Conelly. I dealt with Scott Conroy some, and, of course, he's not with Reid's office anymore. He's been recently there. I'm not sure that I remember off the top of my head who else I may have dealt with, because usually—we've never had a big issue with them that we weren't able to resolve fairly quickly, so their names may not stick quite as painfully in my head.

Seney: Somebody you have to deal with over and over again.

Roubique: Or where you didn't get to a resolution too well.

Seney: But they clearly keep an eye on what's going on with this?

Roubique: Sure.

Seney: What sort of TROA things did they raise, do you remember?

Roubique: They, I believe, have been more in a listening role when it's come to TROA, particularly as it relates to issues up here. I want to say that their office, along with everybody else, when they were negotiating 101-618, didn't see this area as very issue-laden, and so they didn't pay a lot of attention to it. As the issues have been surfacing, I think they've been paying a great deal more attention. So, they've been more in a learning mode, in my sense of it, more listening. They attend meetings and do a lot of listening and that sort of thing, but not necessarily—I don't recall them calling and asking for specific information or anything along those lines.

Ski Resorts and Snow Making

Seney: One of the things I wanted to ask you about is, this is one of the details in California, and I'm not sure I understand what this is all about. It says here—this is under California restrictions, "All water right permits issued after May 1, 1996, will be limited to a maximum diversion in any one month to 25 percent of the total amount of water permitted to be diverted each year." Do you know what that one means?

Roubique: I'm not sure that I know the background of that. I understand what it says, but I'm not sure that I understand what the intent is or what they're trying to accomplish with that.

Seney: You know what my cynical mind—I have one, too—thinks here, is that this may have to do with snow making.

Roubique: It could.

Seney: And it's an attempt by the people in the basin to limit others outside, in terms of snow making for, say, a new ski resort. Does that make sense to you? See, I would think you might be involved in that, since I know there are ski resorts on Forest Service land. None of yours, though.

Roubique: Yes, actually there are. We have six resorts under permit.

Seney: Oh, you do? Sorry. But, I mean, in your specific bailiwick.

Roubique: Uh-huh.

Seney: Oh, there are six? Okay. Any insight on what that might mean?

Roubique: Well, the only resort that diverts water for snow making is Alpine Meadows, at this point in time, within this watershed.

Seney: How do the others do it, or don't they make

snow?

Roubique: Yes, they all make snow. Squaw [Valley], I believe, does their snow making with wells. Most of the resorts use a combination of wells and perhaps storage tanks. Alpine has three ponds that they use for temporary storage. But their diversion, it's a temporary diversion, and it's designed so that 100 percent—well, probably more like 85 percent goes back into the system.

I'd have to think about that, because I haven't actually analyzed that in the context of snow making.

I guess on one hand that may be true. The likelihood of new resorts being approved in the Sierra in the foreseeable future, in my mind, is very low.

Seney: The reason being?

Roubique: The political will's not there for that sort of development. Generally, when new ski resorts are proposed, the environmental concerns around wildlife, sometimes water quality, sometimes air quality or traffic, are so high that even though there have been several proposed, I cannot think of any that have actually been constructed. It's even difficult, when you have one that's doing a renovation or expanding a little bit, to get through the process with those.

Seney: And there's sufficient capacity here at this point?

Roubique: There is sufficient capacity. I would say there's sufficient capacity, although that depends on how you define quality experience. California resorts, people are generally willing to stand in line longer.

Seney: I know the lines can be quite long.

Roubique: They're willing to be stuck in traffic on their way home on Sunday night much longer. That sort of thing would not be tolerated with the New England resorts to the same degree. And it's differences, and around the country people, their tolerance levels are different. The Colorado Rocky resorts generally much less tolerance of lift lines and that sort of thing than we have in California.

Seney: That's interesting.

Roubique: But in New England, they'll ski in a blizzard, where people here want to stay home.
[Laughter]

Seney: Not being a skier, none of this makes sense to me. I know that the Public Law 101-618 says the first 600 feet, forget it, you can have that 600 acre feet for snow making. Well, that's about all the questions I can think to ask. What haven't I asked that's important to you?

Roubique: Actually, you've been quite thorough.

Seney: I know I haven't asked everything. This has been a very complex thing for me to learn, too,

and I learn more every time I talk to someone.
I've learned a lot from you today.

Roubique: Well, I have to admit, I can't think of anything
off the top of my head, but I have your number.

Seney: Yes, you do.

Roubique: If I think of something, I'll give you a call.

Seney: Okay. Well, I appreciate it. On behalf of the
Bureau, thank you for giving us your time.

END SIDE B, TAPE 2.
END OF INTERVIEW.